

## REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested.

The claims are generally directed to an elastic nonwoven web comprising fibers formed from a composition having a blend of two components. The two components comprise an elastomeric polyolefin and a nonelastomeric polyolefin having a density of at least  $0.890 \text{ g/cm}^3$ . As now amended, claim 9 requires that the nonelastomeric polyolefin have a melt index of at least 30 and requires the elastic polyolefin to have a density of less than  $0.880 \text{ g/cm}^3$ .

In the Office Action, claims 9-15 were rejected under 35 U.S.C. § 112. In response, claims 9-12 have been amended in order to overcome the above rejection under § 112.

In the Office Action, claims 9-13 were rejected under 35 U.S.C. § 102 in view of U.S. Patent No. 5,382,631 to Stehling et al., while claims 9-15 were rejected under 35 U.S.C. § 103 over EP 0 600 482 in view of Stehling et al. As now amended, however, it is believed that the claims patentably define over the above references either alone or in combination.

For example, as now amended, independent claim 9 is believed to patentably define over Stehling et al. For instance, Stehling et al. discloses linear ethylene interpolymer blends. As opposed to claim 9, however, Stehling et al. does not disclose or suggest the use of an elastomeric polyolefin having a density of less than 0.880. In fact, in example 5 as cited by the Examiner, the plastomer has a density of 0.884 g/cc. Thus, Stehling et al. fails to anticipate claim 9.

EP '482, on the other hand, fails to disclose or suggest a blend of two components in which one of the components is a nonelastomeric polyolefin having a density of at least  $0.890 \text{ g/cm}^3$  and a melt index of at least 30. In fact, EP '482 teaches away from a nonelastomeric polyolefin having the characteristics as now claimed. For example, EP '482 teaches that the melt index of the high-pressure low-density polyethylene ("component B") should not exceed 20. As particularly stated in EP '482 at page 6, lines 35-36, "if the melt flow rate of the polyethylene exceeds the upper limit of the range of from 0.1 to 20 g/10min, the film formation may be unstable." Thus,

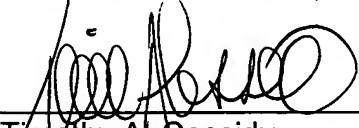
Applicants also submit that the currently pending claims also patentably define over EP '482 either alone or in combination with Stehling et al.

In summary, Applicants submit that the presently pending claims are patentably distinct over the cited references and are in complete condition for allowance. Should any issues remain after consideration of this response, however, than Examiner Cole is invited and encouraged to telephone the undersigned at her convenience.

Respectfully submitted,

DORITY & MANNING, P.A.

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